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OFFICE OF PETITIONS

In re Application of
Moulsley et al.
Application No. 09/630,896
Filed: August 2, 2000
Attorney Docket No. PHB 34 , 390

ON PETITION

This is a decision on petition to withdraw the holding of abandonment under 37 CFR 1.181 filed November 1, 2006.

The petition to withdraw the holding of abandonment is **GRANTED**.

This application was held abandoned September 22, 2005 for failure to timely reply to the final Office Action mailed on June 22, 2005. The final Office Action set a three (3) month extendable time period for reply. A Notice of Abandonment was mailed October 16, 2006.

Petitioner asserts that a reply to the final Office Action in the form of an RCE was timely submitted on September 19, 2005. As evidence, petitioner has submitted a copy of a return postcard date stamped by the Office acknowledging receipt of the reply on September 21, 2005. Additionally, petitioner has supplied a copy of the previously mailed correspondence.

The response submitted September 21, 2005 has not been located in the Office, however, in view of the evidence submitted, the response is deemed timely. Pursuant to petitioner's request deposit account no.14-1270 will be charged the \$790 RCE fee.

The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

The application file is being forwarded to the Technology Center 2600 for further processing of the amendment submitted on petition.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.



Charlema R. Grant

Petitions Attorney

Office of Petitions